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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,810	11/24/2003	Hayami Nakagawa	0649-0931P	3459

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EXAMINER

STRIMBU, GREGORY J

ART UNIT PAPER NUMBER

3634

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/718,810

Applicant(s)

NAKAGAWA, HAYAMI

Examiner

Gregory J. Strimbu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-11 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-11 and 13-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Drawings***

The drawing corrections filed November 2, 2004 have been approved.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Okamoto et al. Okamoto et al. discloses a door for a vehicle comprising an outer panel 1, an inner panel 2 having longitudinal front, rear and lower edges (not numbered, but shown in figure 1) with a central portion open to form a central opening (not numbered, but shown in figure 1), the inner panel has an inner edge (not numbered, but comprising the portion of the inner panel 2 including the channel 7) and a base plate B to which at least a window regulator module 31 is assembled and which is attached to the inner panel so as to wholly cover the central opening of the inner panel wherein the base plate has an inner edge 24 in contact with the inner edge of the inner panel, a belt line reinforcement 13.

Claims 1, 5, 6, 9-11 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakaguchi et al. Sakaguchi et al. discloses a door for a vehicle comprising an outer panel 13, an inner panel 20, 21, 22 having longitudinal front, rear

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and lower edges (not numbered, but shown in figure 2) with a central opening (not numbered, but shown in figure 2), the inner panel has an inner edge (not numbered, but shown in figure 2 adjacent the central opening) and a base plate 12 to which at least a window regulator module 50 is assembled and which is attached to the inner panel so as to wholly cover the central opening of the inner panel wherein the base plate has an inner edge (not numbered, but shown in figure 2) in contact with the inner edge of the inner panel, wherein the base plate is attached to the inner panel so as to cover the central opening from a vehicle compartment outer side of the inner panel, a belt line reinforcement 44.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi et al. as applied to claims 1, 5, 6, 9-11 and 13-16 above, and further in view of Baldamus et al. Baldamus et al. disclose the use of screws 16 to attach an inner panel to a base plate.

It would have been obvious to one of ordinary skill in the art to provide Sakaguchi et al. with screws, as taught by Baldamus et al., to increase the ease of assembling the door.

***Response to Arguments***

Applicant's arguments filed June 23, 2005 have been fully considered but they are not persuasive.

With respect to the applicant comments concerning Okamoto et al., the examiner respectfully disagrees. The inner panel of Okamoto et al. has an inner edge as shown in figure 1 and figure 3. In figure 3 the inner edge is shown as including a channel 7. Additionally, the base plate, also shown in figure 3, includes an inner edge 24.

With respect to the applicant comments concerning Sakaguchi et al., the examiner respectfully disagrees. The inner panel Sakaguchi et al., as shown in figure 2, includes an inner edge comprising that portion of the inner panel defining the opening. Additionally, the base plate includes an inner edge which comprises that portion of the base plate which is bolted to the inner panel. See figure 3.

***Conclusion***

**THIS ACTION IS NOT MADE FINAL.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal line extending from the end of the signature.

Gregory J. Strimbu  
Primary Examiner  
Art Unit 3634  
August 5, 2005